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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,) No. CR 07-00013 RMW
12 Plaintiff,)
13 v.) **STIPULATION TO CONTINUE
14 HEARING AND EXCLUDE TIME;
15 PROPOSED ORDER**
16 ANTONIO RODRIGUEZ-REYES,)
17 Defendant.)

17 Defendant and the government, through their respective counsel, hereby stipulate that,
18 subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for
19 Monday, October 29, 2007, should be continued to November 19, 2007. The continuance is
20 requested because there is a possible venue issue in the case, and the government requires
21 additional time to investigate.

22 The parties further agree that time should be excluded under the Speedy Trial Act from
23 October 29, 2007, to November 19, 2007, because the defense and the government require time
24 for investigation and preparation, and the ends of justice outweigh the defendant's and the
25 public's need for a speedy trial. Additionally, an exclusion is appropriate to allow for continuity
26 of counsel.

STIPULATION TO CONTINUE
HEARING DATE; [PROPOSED] ORDER
No. CR 07-00013 RMW

1 Dated: 10/26/07

2 _____/s/
3 LARA S. VENNARD
4 Assistant Federal Public Defender

5 Dated: 10/26/07

6 _____/s/
7 JOSEPH FAZIOLI
8 Assistant United States Attorney

9 **ORDER**

10 The parties have jointly requested a continuance of the hearing set for October 19, 2007,
11 on grounds that the government requires additional time to investigate a possible venue defect.

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date
13 presently set for October 29, 2007, be continued to November 19, 2007, at 9:00 a.m.

14 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time
15 from October 29, 2007, to November 19, 2007, shall be excluded from the period of time within
16 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

17 Dated: 11/6/07

18 _____/s/ Ronald M. Whyte
19 RONALD M. WHYTE
20 United States District Judge